

DOCKET NO. 0399.1212-005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

[ ] Supplemental (37 C.F.R. §1.67)

As a named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 2 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Genome-Wide Location and Function of DNA Binding Proteins

the specification of which (check one)

[ ] is attached hereto.

[X] was filed on December 21, 2001 as United States ApplicationNumber or PCT International Application No. 10/032,281

and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119 or 365 of any foreign application(s) for patent or inventor's certificate, or of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>	Priority Not Claimed	Certified Copy Filed? YES	Certified Copy Filed? NO
(Number) _____	(Country) _____	(Day/Month/Year filed) _____	[ ] [ ] [ ]
(Number) _____	(Country) _____	(Day/Month/Year filed) _____	[ ] [ ] [ ]
(Number) _____	(Country) _____	(Day/Month/Year filed) _____	[ ] [ ] [ ]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole

or first inventor John Wyrick  
Inventor's Signature John J. Wyrick Date 2/19/02  
Residence 144 S. Catalina Avenue, Apt. 12  
Pasadena, CA 91106  
Citizenship U.S.A.  
Mailing Address same as above

Full name of second joint

inventor, if any Richard A. Young  
Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence 216 Highland Street  
Weston, MA 02493  
Citizenship U.S.A.  
Mailing Address same as above

Full name of third joint

inventor, if any Bing Ren  
Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence 4165 Executive Drive, Apt. 106  
La Jolla, CA 92037  
Citizenship People's Republic of China  
Mailing Address same as above

Full name of fourth joint

inventor, if any Francois Robert  
Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence 395 Beacon Street, #1F  
Boston, MA 02116  
Citizenship Canada  
Mailing Address same as above

---

Full name of fifth joint

inventor, if any Itamar Simon

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 93 Colborne Road

Brighton, MA 02135

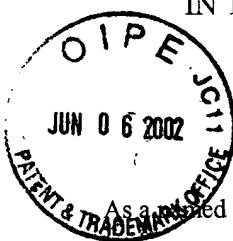
Citizenship Israel

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Genome-Wide Location and Function of DNA Binding Proteins

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Full name of sole  
or first inventor John Wyrick

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

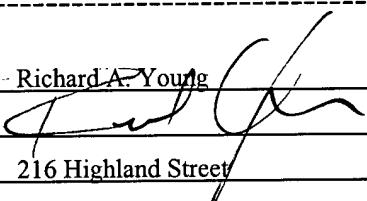
Residence 144 S. Catalina Avenue, Apt. 12  
Pasadena, CA 91106

Citizenship U.S.A.

Mailing Address same as above

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Full name of second joint  
inventor, if any Richard A. Young

Inventor's Signature  Date 2/13/02

Residence 216 Highland Street  
Weston, MA 02493

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Full name of third joint  
inventor, if any Bing Ren

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Full name of fourth joint  
inventor, if any Francois Robert

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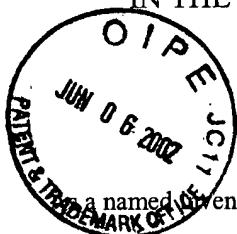
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Full name of third joint  
inventor, if any Bing Ren

Inventor's Signature Bing Ren Date Feb 21st, 2002

Residence 4165 Executive Drive, Apt. 100 12715 Camarena Road  
La Jolla, CA 92037 San Diego, CA 92130

Citizenship People's Republic of China

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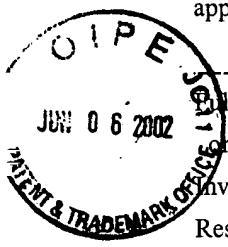
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Citizenship People's Republic of China

Mailing Address same as above

Full name of fourth joint  
inventor, if any Francois Robert

Inventor's Signature [Signature] Date 4/10/02 1/10/02

Residence 395 Beacon Street, #1F 445 MARLBOROUGH ST. #1A  
Boston, MA 02116 02115 2/2 4/10/02 2/2

Citizenship Canada

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Full name of sole  
inventor John Wyrick

JUN 06 2002 Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 144 S. Catalina Avenue, Apt. 12  
Pasadena, CA 91106

Citizenship U.S.A.

Mailing Address same as above

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inventor, if any Richard A. Young

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

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Citizenship U.S.A.

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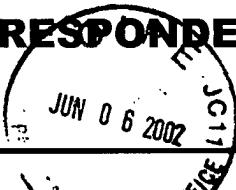
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Full name of fifth joint

inventor, if any Itamar SimonInventor's Signature I ~~Itamar~~ Simon Date 2/22/02Residence 93 Colborne RoadBrighton, MA 02135Citizenship IsraelMailing Address same as above

## HAMILTON, BROOK, SMITH &amp; REYNOLDS, P.C.

**POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT AND  
CORRESPONDENCE ADDRESS**



<i>Application Number</i>	10/032,281
<i>Filing Date</i>	December 21, 2001
<i>First Named Inventor</i>	John Wyrick
<i>Group Art Unit</i>	1651
<i>Examiner Name</i>	Not Assigned
<i>Attorney Docket Number</i>	0399.1212-005

I/We hereby appoint

the attorneys/agents associated with Customer No. 021005  
 Practitioner(s) named below:

as my/our attorneys/agents to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

The correspondence address for the above-identified application is:

Customer Number 021005  
 Hamilton, Brook, Smith & Reynolds, P.C.  
 530 Virginia Road  
 P.O. Box 9133  
 Concord, Massachusetts 01742-9133

Other \_\_\_\_\_

Please direct all telephone calls and facsimiles to:

Name Anne J. Collins, Esq. Tel. No. 978-341-0036 Fax No. 978-341-0136

I am the:

Applicant/Inventor.  
 Authorized representative of the Assignee of the entire interest. See 37 C.F.R. 3.71. A Statement under 37 C.F.R. §3.73(b) is enclosed.  
 Authorized representative of an assignee together with [ ] of the entire interest. A separate Statement under 37 C.F.R. § 3.73(b) is enclosed.

***SIGNATURE of Applicant or Assignee of Record***

Name	<u>Patricia Granahan</u>
Signature	<u>Patricia Granahan</u>
Date	<u>May 29, 2002</u>

Total of [ 1 ] form is submitted.

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)Applicants: John Wyrick, et al.Application No.: 10/032,281 Filed: December 21, 2001For: Genome-Wide Location and Function of DNA Binding ProteinsWhitehead Institute for Biomedical Research, a non-profit institution  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is

JUN 06 2002

A.  the assignee of the entire right, title and interest in the patent application identified above.

B.  an assignee together with [ ] of the entire right, title and interest in the patent application identified above. A separate Certificate under 37 CFR § 3.73(b) is attached.

The right, title and interest of the above-named assignee in the patent application identified above is established by virtue of:

A.  An assignment from the inventor of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frames \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are attached.

Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: May 29, 2002Name: Patricia GranahanTitle: Patent CounselSignature: Patricia Granahan

ASSIGNMENT

WHEREAS, we, **John Wyrick, Richard A. Young, Bing Ren, Francois Robert and Itamar Simon**, have invented a certain improvement in **Genome-Wide Location and Function of DNA Binding Proteins** described in an application for Letters Patent of the United States, the specification of which:

[ ] is being executed on even date herewith and is about to be filed in the United States Patent Office;

was filed on **December 21, 2001** as Application No. **10/032,281**;

[ ] was patented under U.S. Patent No. [ ] on [ ].

WHEREAS, **Whitehead Institute for Biomedical Research** (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the **State of Delaware**, and having a usual place of business at **Nine Cambridge Center, Cambridge, Massachusetts 02142** desires to acquire an interest therein in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor's Signature:

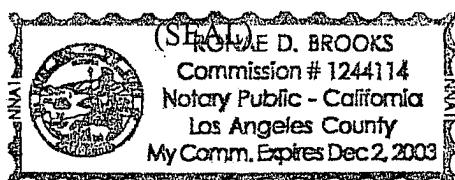
  
John Wyrick

State/Commonwealth

of CALIFORNIA

County of LOS ANGELES

Then personally appeared before me the above-named **John Wyrick** and acknowledged that he executed the foregoing instrument as his free act and deed this 19 day of February, 2002.



Ronae D. Brooks Notary Public

Ronae D. Brooks (print name)

My Commission expires 12/09/03